

The Roles and Function of Parliamentary Questions

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Questioning in European Parliaments

MANUEL SÁNCHEZ DE DIOS and MATTI WIBERG

Although parliamentary questions (PQs) are a feature of most legislatures, no two legislatures share exactly identical questioning forms. This research provides an overview of forms of questioning in European parliaments, covering variation in the main institutional features, the processing of questions and the impact of political parties on questioning. Cross-national and temporal variation in the behavioural trends in questioning is identified using more in-depth analysis of patterns of questioning in the national parliaments of the United Kingdom, France and Spain. The accountability game is found to have a general structure based on the principal-agent relationship and the fact that government must answer questions posed by MPs. PQs are conceived as formal mechanisms to combat information asymmetries and moral hazard, especially when there is hidden information, and by means of them MPs can give orientation or indirizzo (direction) to the executive.

Parliamentary questioning is not an overly researched area of legislator action.¹ The typical political science textbook treatment of the subject is mostly influenced by the formal and legal description of the procedures. What is especially disturbing in these presentations is the almost total absence of the political dynamics involved in questioning. As this paper suggests, parliamentary questioning in practice can be characterised as a game where elected representatives seek to control or 'keep tabs' on the executive.

Although European parliaments to a large degree share a common political and cultural heritage, itself a minimum necessary requirement for making a meaningful cross-national comparison, there is a rich variety in the forms of parliamentary questioning. Indeed, there are no two parliaments with exactly identical questioning forms. Even where the names of these forms are identical in their English translation, they are by no means even functionally equivalent. Interpellations, for one, have the same title in different political systems but different forms, contents, functions and consequences. The deceptive similarity may be quite misleading, if the relevant differences are not spelled out in enough details. The conditions for questioning, as well as other aspects, vary to a large degree from parliament to parliament. This makes a true comparison difficult. Moreover, the whole institution of parliamentary questioning is under constant evolution.

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THE ROLES AND FUNCTION OF PARLIAMENTARY QUESTIONS

parliamentary questioning (PQs) in European parliaments, covering the main institutional features, the processing of questions and the impact of parties on questioning. Subsequently, behavioural trends in questioning in the national legislatures of the United Kingdom, France and Spain are explored in more depth. The evidence suggests that questioning can be characterised meaningfully as a game of control involving primarily the government and opposition parties.

Institutional Features and Forms of Questioning

The most typical forms of parliamentary questioning include: some sort of oral questions presented at a fixed Question Time on a regular basis, written questions, which are not answered or debated at all in the chambers, and interpellations. Parliaments typically do not allow genuinely spontaneous oral questions: at least the topic of the question must be registered by the staff of parliament and the relevant minister or his or her staff in advance. Even oral questions, despite their name, are handed in writing for preparation by both parliament and executive.

An interpellation has the following objectives (Bruyneel 1978, p. 70):

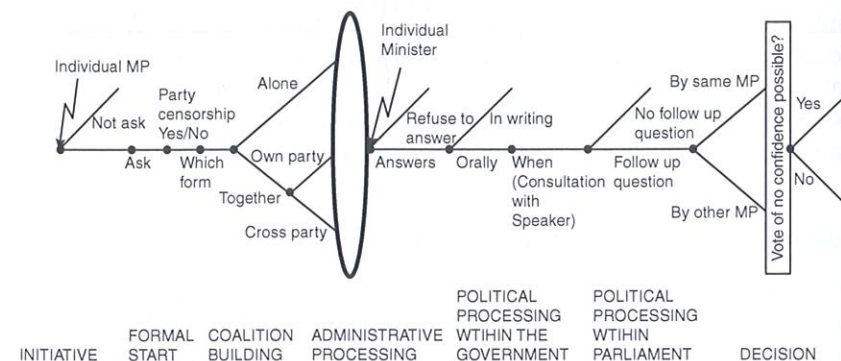
1. To request from the Government information, justification, or both concerning a problem of general interest of substantial importance which is not on the agenda of the House and thereby which one or more members consider that Parliament, the public, ought to be informed.
2. To open a debate on this problem within a reasonable time under an established procedure during which the originator(s) of the interpellation, the minister concerned, and possibly other members of the Assembly can put forward their point of view.
3. To conclude the interpellation without further action, leaving it as a purely informative exercise; or to call into question the responsibility of the government (or the minister concerned) by tabling a motion on which the Assembly must take a decision, which then amounts to a motion of censure. Such motions, without calling into question the government's responsibility, can also express the positions of the Assembly as a whole, or even simply give approval.

The Processing of Questions

A successfully processed parliamentary question, written or oral, necessarily involves the voluntary participation of at least three distinct types of actors: one or more MP, some part of the staff of parliament and/or the bureaucracy of the government, and one or more government minister. The ideal type of parliamentary questioning game is depicted in extensive form in Figure 1. There are several trade-offs to be given consideration in every step.

Putting a parliamentary question is by no means a totally spontaneous event. The question may originally be initiated inside or outside parliament: sometimes,

Figure 1: The Parliamentary Questions Game



MPs just advance drafts or completed questions written by someone outside parliament (for instance an interest organisation). The so-called 'planted questions' are an everyday open secret in many parliaments: a minister or some of his or her staff may, for instance, draft a suitable question and hand it over to a loyal MP, who then puts the question in his or her own right.

When the MP has decided to put a question, he or she must decide upon the form of the question. In some parliaments, MPs have as many as six different kinds of possible questioning forms. Here are some of the most important considerations an MP has to take into account:

1. Is the question urgent or not?
2. Is it of any importance which minister should answer the question?
3. Is it possible and functional to form a coalition of MPs asking the same question?
4. Has the presiding officer and/or the staff of parliament discretion concerning the possibility of questioning?
5. Is a spontaneous or a bureaucratically (technically, administratively) as well as politically (within the government) well-prepared answer desired?
6. Is there a need or desire for further debate?
7. Is it desirable to make a decision immediately connected to the original question?
8. Which form serves best the signalling needs with respect to intra- and extra-parliamentary actors?

It is not always self-evident which factor is the most important. A rapid answer is for controversial issues, it might very well be the most useful one if the sole political purpose of the question was to demonstrate the minister's lack of competence and of relevant information, then spontaneity might be used strategically to great advantage with the minister's incompetence being effectively demonstrated within seconds. But, on the other hand, if the questioner

wants to know what plans the executive has on a particular issue, it might very well be wiser to give the minister and his or her staff some time to think about and reflect on the issue before they commit themselves publicly.

When the question has been put, political processing by the government involves several stages. There must be a decision made within the government as to which minister answers the question. If the minister (or rather some of his or her staff) decides not to answer, he or she must typically explain the reasons for this non-cooperation; the refusal must be motivated. It is politically intolerable to refuse to answer, but ministers might give an evasive or perfunctory reply. If the minister decides that the question is to be answered, a decision must be taken whether it will be answered orally or in writing and as to when the question is answered. If the question is answered orally, the Speaker (or some other body of the parliament) sets the agenda for parliament. Then the minister's reply is drafted. It may even happen that the minister just reads the material prepared for the occasion without completely understanding what is going on, or what is involved. In interpellations, the issue of a vote of a motion (of no confidence) is the next to final stage.

The Impact of Parties on Parliamentary Questioning

The questioning game does not take place in a political vacuum, it takes place in a democratic party government (Katz 1987, p. 7) where decisions are made by elected party officials or by those under their control, policy is decided within parties which then act cohesively to enact it and officials are recruited and held accountable through party.

Even nowadays political parties are frequently not mentioned in the constitutions of European countries, their existence is, however, a crucial element in understanding the operation of modern representative assemblies. The party has an enormous effect on the individual MP. Indeed as is suggested by Crossman (1993, p. 43), an MP's responsibility to his party is prioritised over that to his electors, since deviation from the party line could jeopardise his candidature and ultimately could constitute his political suicide. This party loyalty is intrinsic to his political survival, and so extensive that an MP will follow the party line even against his better judgement (see also Depauw and Martin 2009).

The effect of the party has also modified ministerial responsibility. According to Crossman (1993), with the strengthening of the party machine, the responsibility of a minister to parliament is reduced, thereby negating an important check on bureaucratic incompetence. As the governing party's control of parliament increases, so the number of resignations and dismissals of incompetent ministers diminishes. Increasingly, an incompetent minister may be kept in office on the basis that concealment of incompetence is more likely to minimise vote loss than the admission thereof.

In practice, parties have modified the political space left for parliamentary control. If the government remains, in essence, 'a committee of the party or parties with a majority in the parliament', as Harold Laski (1952, pp. 104, 108)

put it, then there is no incentive for the majority of the floor to execute hard-nosed control: it is not politically profitable to extend the searchlight upon one's own closest political allies or literally upon one's own party. The opposition does not have the means available to really know, in detail, what the government has done, or is planning to do. This informational asymmetry may be used by the government in order to advance its own policies. The only information available to the opposition may actually come from the government itself, in whose interest it may not always be to tell the truth. Typically, the government will also wish to keep certain things away from the public's concern. As explained by Norton (1993, p. 109) the result is that parliament cannot claim to subject the conduct of government to continuous and comprehensive scrutiny. Much of what government does, avoids parliamentary attention. When it is the subject of such attention, the attention is frequently sporadic and fleeting, affected by partisan considerations, pressures of time and lack of knowledge. Ministers are variously able to deflect probing by members and to ignore recommendations for a change in practice or policy.

In spite of all that, the various control instruments have, according to Norton (1993, p. 109), the effect of ensuring that ministers present themselves to answer questions in order to explain and justify their actions and their stewardship of their departments. A failure to attend would be politically damaging. An inadequate answer can harm both a minister and consequently the government. Parliament does not have much impact in terms of initiating policy and affecting the content of legislation, but it has far greater consequences for the government's general conduct on affairs. The controlling device of questions has considerable consequences for government and as Norton (1993, p. 112) concludes:

They provoke responses in the form of information, explanation and justification. They absorb the time and intellectual energy of ministers and senior civil servants. They create a critical environment for the discussion of particular programmes and actions. They ensure greater openness on the part of the government.

From Institutions to Behavioural Trends

Moving beyond the institutional rules of the game, a closer examination of patterns of questioning across time in three different political systems is explored next. The first case features a majority government (the United Kingdom), the second a semi-presidential system based on frequent coalition governments (France) and the last, a new democracy with both majority and minority governments (Spain). The questioning activity in their lower chambers from 1997 to 2007 is considered.

Parliamentary Questioning in the United Kingdom

Question Time takes place on the Floor of the House and lasts about an hour each day (from Mondays to Thursdays). Ministers answer questions in person, sometimes accompanied by junior ministers, and appear to answer questions once in a

four-week cycle. Tabled questions are subject to a random computer ballot (shuffle) to decide which question will be published and in what order they will be taken. Once a question is answered, the MP is able to ask a supplementary question which is often the main point of the exercise. After that the Speaker may call other members to put supplementaries, usually alternating between the government and the opposition. The Speaker controls the pace of Question Time and decides the number of supplementaries.

The prime minister answers questions every Wednesday. The leader of the opposition is permitted to put three or four supplementaries in succession and the leader of the next largest opposition party is allowed two. The debate is always related to almost any aspect of Government policy, logically it is about highly topical matters.

In addition to ordinary questions there are urgent questions and cross-cutting questions. It is for the Speaker to decide whether to allow an Urgent Question. Cross-cutting questions open a debate that covers the responsibilities of a number of government departments, though there are not many sessions per year.

Questions for written answer (WQs) may be answered within seven days of the question being tabled. WQs originally tabled for oral answer, which were successful in the shuffle but were not reached at Question Time, must receive a written answer on the day of the oral session. There is a daily quota of five Named Day Questions per MP that must receive an answer on the date specified by the member tabling the question (at least three days after tabling). Answers to these questions may include a 'holding reply', which promises a substantive answer as soon as possible (about 7 per cent of WQs receive a holding replay).

Parliamentary questions are considered in the UK as vital instruments in the hands of MPs for securing ministerial accountability (Forman and Baldwin 2007, p. 257). The main determinant of questioning is the adversarial relationship of two parties, though the relationship between the majority and the opposition is not balanced because the government usually has a secure parliamentary majority in the House.

Questions are used for partisan purposes and are part of the battle between major parties; they are no more a time for backbenchers (Norton 1998, p. 21, Kelly and Gay 2008, p. 3). The content of the debate of questions is usually predictable, with speakers sticking to the party line and typically delivering prepared speeches. There are also partisan techniques employed to protect ministers from penetrating scrutiny such as sycophantic questions, syndicated questions, supplementary questions and organised pre-briefing sessions of backbenchers by frontbenchers and whips to protect government ministers from embarrassment from opposition MPs (Judge 2005, p. 54).

The Prime Minister's Question Time is the most extreme version of the adversarial party battle between the prime minister and the leader of the opposition. According to Moran (2005, p. 199) its main effect is within the Commons and nobody pretends that the occasion is about holding the executive to account. On the contrary, the leader of the opposition can hang on whether opposition backbenchers feel their leader is doing well in the debate.

THE ROLES AND FUNCTION OF PARLIAMENTARY QUESTIONS

In the UK there has been a big increase in the number of WQs (Table 1). The main consequence of the large number of WQs is that they have overloaded departments and, as a result, questions are not yet answered by the official actually charged with the policy but by a centralised parliamentary answering unit in the departments (Kelly *et al.* 2006, p. 108). According to a Memorandum to the Procedure Committee of 2007 and the opinion of Rogers and Walters (2006, p. 336) the main reasons for the increase of WQs are: a) the rise in the numbers of members' staff, who may see the generation of questions as one of their functions; b) the introduction of e-tabling that makes it easier to table questions (36 per cent of questions were e-tabled in 2006–07); c) The fact that MPs have become used to the question as a free research facility and questions are being used to attain information and not to inquire into aspects of government policy; d) the outside pressure from the media and websites that have led to focus on parliamentary activity rates monitoring the number of questions tabled by MPs and e) the fact that the number of tabled WQs serves as an informal means of assessing members' activity.

Parliamentary Questioning in France

In the French legislature there are a number of different types of oral questions: questions without debate, questions to the government and budgetary questions. Oral questions with debate have disappeared from the National Assembly but remain in the Senate. Oral questions without debate are ruled by Article 48 of the Constitution, requiring one sitting per week. Every party can table a number of questions proportional to its parliamentary strength chosen by the chief whip. About 25 questions can be tabled per session. The prime minister decides which member of the government should answer the question. Every oral question is asked by an MP in the form of a two-minute speech.

Questions to the government are ruled by conventions. They have evolved since 1974 in response to the restrictive interpretation of Article 48 of the Constitution made by the Constitutional Council (Avril and Gicquel 2005, p. 434). They have a spontaneous nature: they are not tabled, not notified, not published. Questions to the government are taken on Tuesdays and Wednesday afternoons for one hour (from 15:00 to 16:00). In advance of every session and before 14:00 hours, party groups give the president of the National Assembly the names of the questioners and signal the ministers to whom the questions are put. It is not necessary to communicate the topic of the questions. Every party used to have a limited time to debate questions according to its parliamentary strength. Yet, since 2008, majority and opposition share the same time. The debate can be seen on TV (France 3 and LCP-Assemblée Nationale). Once in session the president calls the questioners, taking care that every parliamentary group begins one session and that questions of the majority alternate with questions of the opposition. Every question lasts about five minutes included the government intervention (four minutes since 2008). About 15 questions are answered during every sitting.

Written questions must be answered within one month. If there is no answer, the MP can demand its transformation into an oral question. Ministers may state

Table 1: Parliamentary Questions in the UK House of Commons (1997–2007)

	1997–98	1998–99	1999–2000	2000–01	2001–02	2002–03	2003–04	2004–05	2005–06	2006–07
OQ-T	8,113	5,008	5,747	2,780	6,528	4,118	3,687	1,438	5,353	3,736
OQ-A	3,382	1,936	n.d.	n.d.	2,201	2,254	2,254	1,529	2,734	1,769
Sup	4,740	283	n.d.	n.d.	4,191	4,018	3,590	847	5,280	3,848
OQ-A + S	8,132	4,774	5,343	2,591	6,392	6,272	5,844	2,376	8,014	5,617
UQ	28	12	9	7	10	10	12	4	14	9
WQ-T	52,652	32,149	36,781	16,417	72,905	55,436	54,875	22,292	95,041	57,825
WQ-A	51,451	31,649	36,067	16,687	67,651	51,614	50,009	21,176	96,016	58,175

Notes: OQ-T: Oral questions tabled; OQ-A: oral questions answered; Sup: oral questions supplementaries; OQ-A + S: oral questions answered plus supplementaries; UQ: Urgent questions; WQ-T: Written questions tabled; WQ-A: Written questions answered.

Source: House of Commons *Sessional Information Digest*.

that it is not in the public interest (for example, military interest) for them to answer, or ask for additional time of up to one month (see further, the contribution by Rozenberg *et al.*, this issue). A procedure of 'signalling questions' was introduced in 1995. Every week the chief whips indicate a number of questions with priority to be answered. The number signalled by each party is proportional to its relative size. The ministers must answer such questions within 10 days.

Oral questions without debate are similar to British adjournment debates (Frears 1990, p. 34). They usually refer to small local affairs or very particular cases. Usually more than one month elapses between the tabling of the question and its appearance on the agenda. They are answered on Fridays, when many MPs are travelling home for the weekend – perhaps why it is a devalued procedure (Avril and Gicquel 2005, p. 270).

Questions to the government open the possibility of a precise, short and vivid debate similar to Question Time at Westminster. Very often, questions are about salient political topics even in cases where local problems are referred to. This is the moment for opposition parties to show, if possible in a noisy way, their determination to combat a bill, criticise some aspects of domestic or foreign policy or the overall effort of the government.

The goal of WQs is often to attract a minister's interest in relation to an administrative action linked to the exercise of some civil rights or to a malfunction of public services. According to Jan (2005, p. 108), WQs are very important from the viewpoint of the rule of law since their answers usually explain the 'administrative doctrine' in relation to legal problems. The number of WQs has doubled in the last 30 years. Their success is explained by four facts: a) they can be tabled at any time, b) they are seen as a personal or an individual act of an MP, c) they have no limit and d) they are considered as a 'public service of free information'. However this procedure has been devalued because ministers are only interested in answering the relevant questions 'signalled' by the party leadership (Jan 2005, pp. 108–109).

Parliamentary Questioning in Spain

In the Spanish *Congreso* there are several types of questions: oral questions on the floor, urgent questions, oral questions in committee, interpellations, questions for written answer and administrative reports. Question Time takes place every Wednesday morning for about four hours. In every plenary a total of 24 oral questions are answered by ministers, among them three by the prime minister. This debate can be seen on TV. Every party can table a number of questions proportional to its strength but the debate includes at least one OQ per party. They must be tabled the previous Thursday. In the debate there are two interventions of the MP and two replies by the minister. The time allocated for the debate cannot exceed five minutes. Urgent questions open a debate on topical issues and they must substitute any other questions tabled in advance. Oral questions in committee may be answered by ministers, secretaries of state or under-secretaries.

Table 2: Parliamentary Questions in the French National Assembly (1997–2007)

	1997–98	1998–99	1999–2000	2000–01	2001–02	2002–03	2003–04	2004–05	2005–06	2006–07
WQ-T	15,559	15,521	16,058	14,972	13,431	21,734	21,799	26,424	30,703	17,850
WQ-A	12,962	13,721	13,779	13,081	8,137	16,282	18,647	22,658	25,293	16,882
WQ-S	n.d.	n.d.	n.d.	n.d.	n.d.	627	630	648	645	322
OQ-ND	452	450	254	295	268	432	405	388	408	197
OQ-TG	756	719	762	678	420	771	744	659	688	436
OQ-PM	n.d.	n.d.	n.d.	n.d.	n.d.	41	34	34	49	10

Notes: WQ-T: Written questions tabled; WQ-A: Written questions answered; WQ-S: Written questions signalled; OQ-ND: Oral questions without debate; OQ-TG: Oral questions to the government; OQ-PM: Oral questions to the prime minister.

Source: Assemblée Nationale.

There are three interpellations every week debated after Question Time. Interpellations are concerned with the general policy of the cabinet itself or of any ministerial department. Since 1983 urgent interpellations have become the normal procedure. Every party has a quota of interpellations proportional to its strength. Interpellations give an opportunity to the interpellant to question, to the cabinet to reply, and to each party to rejoin. Any interpellation may give rise to a motion tabled by the interpellant group.

Written questions must be answered within 20 days following their publication, a term which may be extended for an additional period of up to 20 days. If there is no reply within this period the questioner can request that the question be treated as an oral question of the appropriate committee. By means of administrative reports usually requested to the central administration, MPs try to obtain documents related to the decision process (Guerrero 2004, p. 228).

According to Sole and Aparicio (1984, p. 228) the Spanish Question Time fulfils its scrutiny function sufficiently well but lacks the political impact of Westminster's Question Time. It is a useful tool of the opposition in the face of public opinion (Capo 2003, p. 127, Guerrero 2006, p. 170). However the Spanish government has a broad margin for flexibility because only one-third of oral questions are answered. Interpellations are very efficient with minority governments when usually a substantive motion is voted giving orientations to the government.

In common with a number of countries the number of written questions has increased constantly in Spain (see Table 3). The high number of WQs is due to the fact that there is no limit on the number each MP can table (Porrás 1981, p. 113). Around 90 per cent of WQs are answered, which is why it is considered a good source of policy scrutiny, but they are typically answered more than 10 weeks after being tabled. WQs are a good resource to fight informational asymmetries, usually related to local districts (Guerrero 2006, p. 176). About 50 per cent of written questions demand an administrative intervention, a further 25 per cent ask about the legal activity of the administration and the remaining 25 per cent look for particular information or requests for reports (Porrás 1981, p. 124). The large number of WQs requested has overloaded the administrative services. As a result, officials tend to write just a general reply without giving detailed information (Guerrero 2006, p. 177).

Conclusion

The political dynamic involved in PQs can be considered as a game in which there is a general structure of rules that constrains the action of the players and some incentives on the part of every player that determine their behaviour and strategy. The accountability game that we find in parliamentary questioning has a general structure based on the principal-agent relationship and the fact that government is generally required to answer questions posed by MPs. PQs are conceived as formal mechanisms to combat information asymmetries and moral hazard, especially when there is hidden information, and by means of them, MPs can give orientation or *indirizzo* to the executive.

Table 3: Parliamentary Questions in the Spanish Congreso de los Diputados (1997–2007)

	1997–98	1998–99	1999–2000	2000–01	2001–02	2002–03	2003–04	2004–05	2005–06	2006–07
WQ-T	11,030	9,450	5,265	13,416	20,582	26,764	22,878	33,618	42,480	45,026
WQ-A	10,820	9,031	4,245	13,227	20,230	25,645	20,327	33,003	40,737	41,342
Rp-R	891	753	394	912	862	1,038	1,821	873	570	643
Rp-D	861	664	288	877	830	997	1,770	845	512	524
I-T	62	68	53	86	89	104	66	82	97	78
I-D	55	58	44	60	70	71	47	63	63	61
OQF-T	619	556	401	643	621	619	444	599	617	560
OQF-A	511	490	140	515	542	551	372	525	518	495
OQC-T	917	856	301	908	1,846	932	405	1,033	1,348	874
OQC-A	343	272	101	390	425	179	138	277	487	295
OQC-C	517	420	181	435	1,360	729	232	670	684	506

Notes: WQ-T: Written questions tabled; WQ-A: Written questions answered; Rp-R: Administrative reports requested; Rp-D: Administrative reports delivered; I-T: Interpellations tabled; I-D: Interpellations debated; OQF-T: Oral questions on the floor tabled; OQF-A: Oral questions on the floor answered; OQC-T: Oral questions in committee tabled; OQC-A: Oral questions in committee answered; OQC-C: Oral questions on the floor converted into written questions.

Source: Congreso de los Diputados.

The questioning game can have different formal structures. In fact in every country different conditions and constraints of the game can be seen. This formality is not irrelevant; on the contrary, as predicted by rational institutionalism and observed empirically in the three cases, the game is different in every legislature due to variations in formal procedures. In France and Spain there has been a 'rationalisation' of the structure of the accountability game by means of revised constitutional frameworks oriented towards reinforcing the executive. The Fifth Republic of France eliminated the interpellations and created a much weaker mechanism of questions without debate. Its weakness has been the cause of the development by convention of 'oral questions to the government'. In Spain the format of PQs is very rigid and mainly oriented towards the formal aspect of fighting informational asymmetry. On the contrary, in the UK, parliamentary questioning is a procedure formalised in the nineteenth century that has evolved in response to the dynamics of party conflict within the chamber. Little surprise then that British Question Time has become the focus of much (media) attention, domestically and internationally.

A number of significant observations emerge from exploring patterns of questioning in European countries. Questioning is a game in permanent play. PQs are established as one of the fundamentals of parliamentary life. It would appear that spontaneity in the game is becoming more and more relevant by means of greater use of urgent questions. Spontaneous interaction between government and opposition is at the core of that game, and as pointed out by Salmond (this issue) the spontaneous nature of PQs can be very good for citizen interest in politics. Finally, it would appear that formality and rigidity reduces the functionality of the game: the more formal the procedure, the less functional is the parliamentary confrontation between majority and opposition.

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Note

1. See, however, Fellowes (1960), Chester and Bowring (1962), Morscher (1976), Bruyneel (1978), Franklin and Norton (1993), Wiberg (1994, 1995), and Russo and Wiberg (2010) provide some information on the various forms of questioning in some parliaments and Gwidz (1963) on interpellations.

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